

## Message Text

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15

ORIGIN AF-06

INFO OCT-01 ISO-00 EB-07 L-03 TRSE-00 COME-00 CIEP-01

STR-04 OPIC-03 CIAE-00 INR-07 NSAE-00 SP-02 /034 R

DRAFTED BY AF/E:ESHIPPY:SM X20857

APPROVED BY AF/E:WBCOOTE

AF/EPS:LMWHITE

EB/IFD/OIA:TBRODERICK

L/AF:FWILLIS

TREASURY:MR. MARESCA (INFO)

COMMERCE:MS. SEVER (INFO)

CIEP: MR. NELSON (INFO)

----- 042887

R 292347Z SEP 75

FM SECSTATE WASHDC

TO AMEMBASSY NAIROBI

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E.O. 11652: GDS

TAGS: EINV, KE

SUBJECT: SAUL'S RUBY MINE

REF: NAIROBI 5096 OF JUNE 19, 1974

1. IN SEPTEMBER 26 MEETING OF COUNCIL ON INTERNATIONAL ECONOMIC POLICY (CIEP) INTERAGENCY COORDINATING GROUP ON EXPROPRIATION TO DISCUSS COUNTRY ELIGIBILITY FOR GENERALIZED PREFERENCES (GSP) IT WAS DECIDED THAT, BASED ON AVAILABLE INFORMATION, SAUL'S RUBY MINE WAS NOT EXPROPRIATED UNDER THE MEANING OF SECTION 502(B)(4) OF THE TRADE ACT OF 1974 AND KENYA'S ELIGIBILITY FOR GSP IS THUS NOT IN QUESTION.

2. BASIS FOR GROUP'S DECISION IS LACK OF EVIDENCE CONCERNING GOK COERCION IN SAUL'S ORIGINAL DECISION TO CONFIDENTIAL

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TAKE MINORITY SHARE IN CORPORATION. THERE IS SOME LINGER-

ING DOUBT HERE, HOWEVER, AS TO WHETHER THERE WAS AN ELEMENT OF COERCION INVOLVED IN SAUL'S DECISION. REQUEST, THEREFORE, THAT EMBASSY REVIEW MATTER, SPECIFICALLY ADDRESS-ING THIS QUESTION, AND SUBMIT ITS FURTHER COMMENTS.

3. HAS THE GOK DETERMINED ITS POSITION WITH RESPECT TO A SETTLEMENT OFFER TO SAUL AND ARE FINAL NEGOTIATIONS NOW IN PROGRESS? INGERSOLL

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NNN

## Message Attributes

**Automatic Decaptoning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** MEETINGS, GENERALIZED PREFERENCES (TARIFFS)  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 29 SEP 1975  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** woolfhd  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1975STATE231938  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** ESHIPPY:SM X20857  
**Enclosure:** n/a  
**Executive Order:** GS  
**Errors:** N/A  
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**Line Count:** 69  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Office:** ORIGIN AF  
**Original Classification:** CONFIDENTIAL  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 2  
**Previous Channel Indicators:** n/a  
**Previous Classification:** CONFIDENTIAL  
**Previous Handling Restrictions:** n/a  
**Reference:** 75 NAIROBI 5096  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** woolfhd  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 27 AUG 2003  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <27 AUG 2003 by BoyleJA>; APPROVED <12 DEC 2003 by woolfhd>  
**Review Markings:**

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EO Systematic Review  
06 JUL 2006

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** SAUL'S RUBY MINE  
**TAGS:** EINV, KE, CIEP  
**To:** NAIROBI  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006